

174  
010604  
UTILITY  
PATENT APPLICATION  
TRANSMITTAL  
(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	1999-0259CON	Total Pages	30
First Named Inventor or Application Identifier			
John D. Brandt, et al.			
Express Mail Label No.	ER167408369		

PTO  
S. PTO  
10/152468  
22141  
010604

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

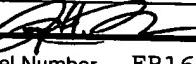
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|--|---|
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form<br><small>(submit an original, and a duplicate for fee processing)</small>   | 6. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)   |
| 2. <input checked="" type="checkbox"/> Specification [Total Pages 12]<br><small>(preferred arrangement set forth below)</small>  | 7. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission<br><small>(if applicable, all necessary)</small>                             |
| - Descriptive title of invention   | a. <input type="checkbox"/> Computer Readable Copy (CRF)  |
| - Cross References to Related Applications   | b. <input type="checkbox"/> Specification Sequence Listing on: <input type="checkbox"/> CD-ROM or CD-R (2 copies); or <input type="checkbox"/> paper      |
| - Statement Regarding Fed sponsored R&D  | c. <input type="checkbox"/> Statements verifying identity of above copies   |
| - Reference to sequence listing, a table or a computer program listing appendix  |   |
| - Background of the Invention  |   |
| - Brief Summary of the Invention   |   |
| - Brief Description of the Drawings(if filed)  |   |
| - Detailed Description   |   |
| - Claim(s)   |   |
| - Abstract of the Disclosure   |   |
| 3. <input checked="" type="checkbox"/> Drawing(s)(35 USC 113) [Total Sheets 1]   |   |
| 4. Oath or Declaration [Total Pages ]  |   |
| a. <input type="checkbox"/> Newly executed (original or copy)  | 8. <input type="checkbox"/> Assignment Papers(cover sheet & document(s))  |
| b. <input checked="" type="checkbox"/> Copy from a prior application(37 CFR 1.63(d))<br><small>(for continuation/divisional with Box 17 completed)<br/>(Note Box 17 below)</small>   | 9. <input type="checkbox"/> 37 CFR 3.73(b)Statement <input checked="" type="checkbox"/> Power of Attorney (copy from parent application)                  |
| i. <input type="checkbox"/> DELETION OF INVENTOR(S)<br><small>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 163(d)(2) and 1.33(b)</small>  | 10. <input type="checkbox"/> English Translation Document <small>(if applicable)</small>  |
| 5. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76  | 11. <input type="checkbox"/> Information Disclosure <input type="checkbox"/> Copies of IDS Statement(IDS)/PTO-1449 Citations                              |
| 17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:   | 12. <input checked="" type="checkbox"/> Preliminary Amendment   |
| <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior Application No: 09/460,319   | 13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)<br><small>(Should be specifically itemized)</small>                            |
| Prior application information: Examiner: Schultz, William C Group/Art Unit: 2664   | 14. <input type="checkbox"/> Certified Copy of Priority Document(s)<br><small>(if foreign priority is claimed)</small>                                    |
| For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts. | 15. <input checked="" type="checkbox"/> Request and Certification under 35 U.S.C.122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. |
|  | 16. <input type="checkbox"/> Other :  |

## 18. CORRESPONDENCE ADDRESS

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COUNTRY	United States of America				

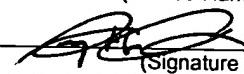
## 19. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME	Gary H. Monka	Reg. #	35290	
TELEPHONE	(201) 224-7957			
SIGNATURE			DATE	11/6/04

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I hereby certify that this U.S. Patent Application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Gary H. Monka  
(Printed Name of Person Mailing Paper)

  
(Signature of Person Mailing Paper)

<b>FEE TRANSMITTAL</b> <small>Patent Fees are subject to annual revision.</small>		Complete if Known			
		Application Number	Not Yet Assigned		
		Filing Date			
		First Named Inventor	John D. Brandt, et al.		
		Examiner Name	Not Yet Assigned		
TOTAL AMOUNT OF PAYMENT	\$770	Group/Art Unit	2664		
		Attorney Docket No.	1999-0259CON		
METHOD OF PAYMENT (check one)			FEE CALCULATION (continued)		
1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:			3. ADDITIONAL FEES		
Deposit Account Number 01-2745 Deposit Account Name AT&T CORP.			Large Fee Code Entity Fee(\$) Fee Description Fee Paid 1051 130 Surcharge - late filing fee or oath 1052 50 Surcharge - late provisional filing fee or cover sheet 1053 130 Non-English specification 1812 2520 For filing a request for reexamination 1804* 920 Requesting publication of SIR prior to Examiner action 1805* 1840 Requesting publication of SIR after Examiner action 1251 110 Extension for response within first month 1252 420 Extension for response within second month 1253 950 Extension for response within third month 1254 1480 Extension for response within fourth month 1255 2010 Extension for response within fifth month 1401 330 Notice of Appeal 1402 330 Filing a brief in support of an appeal 1403 290 Request for oral hearing 1504 300 Publication fee for early, voluntary, or normal publication 1452 110 Petition to revive – unavoidable 1453 1330 Petition to revive – unintentional 1501 1330 Utility issue fee (or reissue) 1502 480 Design issue fee 1460 130 Petitions to the Commissioner 1807 50 Processing fee for provisional applications 1806 180 Submission of Information Disclosure Statement 8021 40 Recording each patent assignment per property (times number of properties) 1809 770 Filing a submission after final rejection (37 CFR 1.129(a)) 1810 770 For each additional invention to be examined (37 CFR 1.129(b)) 1801 770 Request for Continued Examination (RCE) 1802 900 Request for expedited exam of a design application  Other fee (specify):		
<input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing Date of the Notice of Allowance.			SUBTOTAL (1) 770		
2. CLAIMS <input checked="" type="checkbox"/> Filing Under 37CFR 1.53 (b) <input type="checkbox"/> CPA Under 37CFR 1.53 (d) <input checked="" type="checkbox"/> Preliminary Amendment			Extra Claims Fee from below Fee Paid Total 11 - 20= 0 X 0 = 0 Ind. 2 - 3= 0 X 0 = 0 Multiple Dependent Claims		
Large Fee Code Entity Fee(\$) Fee Description			SUBTOTAL (2)		
** or number previously paid, if greater; for Reissues, see above					
SUBTOTAL (3)					

## SUBMITTED BY

Typed or Printed Name	John Etchells			Complete (if applicable)
Signature				Reg. Number
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450		Date	11/6/01	Deposit Account User ID

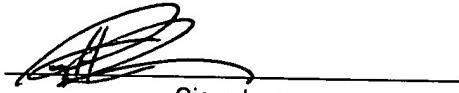
**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	John D. Brandt, et al.
Title	<i>Method For Reducing Data Loss in Automatically Re-Configured ATM Networks</i>
Atty. Docket Number	1999-0259CON

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U. S. C. 122(b).

*1/6/04*  
Date



Signature

Gary H. Monka  
Typed or Printed Name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U. S. C. 122(b)(2)(B)(iii)).**